



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Roy R. Lobb
Serial No.: 08/374,331
Filed: January 18, 1995
For: TREATMENT FOR ASTHMA
Attorney Docket No.: BGP-021USCP (D002CIP2US)

Group Art Unit:

Examiner:

U. S. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Attention: Application Processing Division,
Special Processing & Correspondence Branch

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

Responsive to the NOTICE TO FILE MISSING PARTS OF APPLICATION, (which included a NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES), dated March 10, 1995, Applicants' attorney submits herewith:

a copy of Form PTO-1533;

an executed Declaration, and Power of Attorney for the above-identified patent application;

an executed Verified Statement Claiming Small Entity Status;

a check in the amount of \$65.00 to cover the required surcharge for late filing of declaration;

(A Response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES and a

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Office, Washington, DC 20231 on:

24 Mar 95
Date

Louis Myers, Reg. No. 35,965

USSN 08/374,331
Atty Dkt: BGP-021USCP

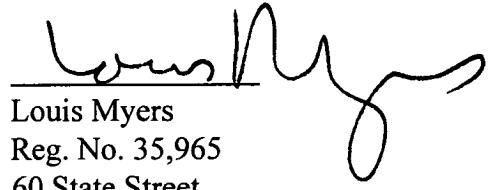
Sequence Listing in computer readable form as required by 37 CFR 1.821(e); a Sequence Listing as required under 37 CFR 1.821(c); a statement under 37 CFR 1.821(f); a copy of the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES; and Preliminary amendment directing entry of the Sequence Listing into the application are also enclosed.).

The Commissioner is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 12-0080. Applicants do not believe further extension of time is required but if an additional extension is required, Applicants request such extension, and request any necessary fees be charged to Deposit Account No. 12-0080.

A duplicate of this letter is enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD



Louis Myers
Reg. No. 35,965
60 State Street
Boston, MA 02109
Tel. (617) 227-7400
Fax (617) 227-5941



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TRANSMITTAL LETTER

Dear Sir:

Responsive to the NOTICE TO FILE MISSING PARTS (FORM PTO-1533) accompanied by a NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES mailed March 10, 1995, the following is enclosed:

1. Copy of NOTICE TO FILE MISSING PARTS (FORM PTO-1533);
2. Response to the Notice to File Missing Parts (2 pp.);
3. Declaration, Petition and Power of Attorney (Executed) (4 pp.);
4. Verified Statement Claiming Small Entity Status (1 p.)
5. A check for \$65.00 to cover the required surcharge;
6. Response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (2 pp.);
7. Preliminary Amendment (2 pp.);
8. Statement Under 37 CFR §1.821(f) (1 p.);

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks Office, Washington, DC
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24 Mar 95

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Louis Myers, Reg. No. 35,965

USSN 08/374,331

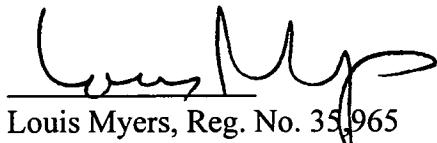
Atty Dkt: BGP-021US

9. Transmittal Letter for Diskette of Sequence Listing (1 p.);
10. Copy of NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES;
11. Sequence Listing (2 paper copies);
12. Diskette containing Sequence Listing; and
13. Return Postpaid Postcard.

We authorize the charging of any additional fees and crediting of any overpayment associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. **A duplicate copy of this letter is enclosed.**

Respectfully submitted,

LAHIVE & COCKFIELD



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**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Dear Sir:

Responsive to the Notice to File Missing Parts of Application, which included a Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated March 10, 1995, Applicants' attorney submits herewith: Sequence Listing in computer readable form as required by 37 CFR 1.821(e); Sequence Listing as required under 37 CFR 1.821(c); a statement under 37 CFR 1.821(f); Copy of the Notice to

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Office, Washington, DC 20231 on: *(Signature)*

Date

Louis Myers Reg No 35965

USSN 08/374,331
Atty Dkt: BGP-021USCP

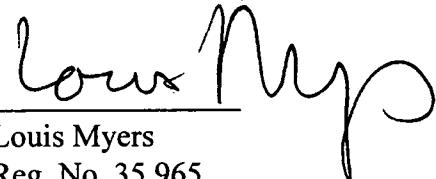
Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures; and Preliminary amendment directing entry of the Sequence Listing into the application.

The Commissioner is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 12-0080. Applicants do not believe extension of time is required but if an additional extension is required, Applicants request such extension, and request any necessary fees be charged to Deposit Account No. 12-0080.

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